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Ad 21
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Antonio ZIGGIOTTI et al.

Group Art Unit: 123

Serial No.: 117,823

Examiner: Northing

Filed: November 9, 1987

For: SALT OF DICLOFENAC WITH A CYCLIC
ORGANIC BASE AND PHARMACEUTICAL
COMPOSITIONS WHICH CONTAIN IT

CONFIRMATION OF TELEPHONE ELECTION

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

A telephone requirement for restriction was made in connection with the above-identified application on February 23, 1988.

The undersigned representative confirms that in response to that telephone requirement, a provisional election was made to prosecute claims 1 and 8-10, where X is a group of the formula $(CH_2)_m$ where m is 0, 1, or 2.

The undersigned representative hereby confirms that said provisional election was specifically made with traverse since no adequate basis therefor has been set forth in the written record. Additionally, the restriction requirement imposed among the species of inventions recited in claim 1 is improper under In re Weber, 580 F.2d 455, 198 U.S.P.Q. 328 (CCPA 1978).

Respectfully submitted,

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RWP:JCL/clf
Attorney Docket No.: RWP 24471

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